

REMARKS/ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Objection to the Oath/Declaration

Examiner objected to the Oath/Declaration. Applicants are submitting an Application Data Sheet.

35 U.S.C. § 112 Second Paragraph

Examiner rejected claims 8, 16, 24, and 32 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended claims 8, 16, 24, and 32 to correct the antecedent basis. These amendments do not alter the scope of these claims. No new matter has been added.

35 U.S.C. § 102 (e) Rejections

Examiner rejected claims 1-32 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,307,574 (hereinafter "Ashe").

Claim 1 includes a limitation of storing a graphic file having a multiple layer structure and at least one control object, each control object in a separate layer and launching an application program to access the graphic file and to display a control element on the graphical user interface. Ashe does not teach such a limitation, and therefore does not anticipate claim 1. Instead, Ashe teaches a *hierarchical program code* which is utilized to reduce the amount of program code

which is used to create GUI graphics of a program, and to reduce the amount of memory required (Column 3, lines 19-22, and Column 6, lines 10-13). Since Ashe uses a hierarchical program code to display a GUI, Ashe does not access a graphic file to display a control element, as in claim 1. Ashe does not teach storing a graphic file which has a multiple layer structure, as in claim 1, since the control objects in Ashe apparently are stored in a program code.

Further, Ashe does not teach a control object in a separate layer. As can be seen in Figures 4 and 5, each control object spans multiple layers of a hierarchy and there is no teaching of the use of a graphic file which has a multiple layer structure for control objects. Since Ashe does not teach all of the limitations of claim 1, Ashe does not anticipate claim 1.

Independent claims 9, 17, and 25 have limitations similar to those of claim 1. Therefore, for the reasons stated above, claims 9, 17, and 25 are also not anticipated by Ashe. Claims 2-8, 10-16, 18-24, and 26-32 depend from the above discussed independent claims. Therefore, claims 2-8, 10-16, 18-24, and 26-32 include all the limitations of the independent claims. Since the independent claims are not anticipated by Ashe, dependent claims 2-8, 10-16, 18-24, and 26-32 are also not anticipated by Ashe.

CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Arlen M. Hartounian at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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